

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, July 28, 2010, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present: Councilmember Adrean, Chair
 Councilmember Felicia A. Moore
 Councilmember C.T. Martin
 Councilmember Alex Wan
 Councilmember Aaron Watson
 Councilmember H. Lamar Willis

Roosevelt Council, Acting CFO
 Departmental Staff

Absent: Councilmember Howard Shook

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C. T. Martin, Alex Wan, Aaron Watson and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with three Walk-Ins. Chairperson Adrean offered a motion to **accept the Walk-In Papers, 4 Yeas, 1 Abstention**. The minutes of the Finance/Executive Committee June 30, 2010 and July 14, 2010 meetings were adopted as well.

TO SUBMIT THE FISCAL YEAR 2011 AUDIT SCHEDULE

10-C-1349 (1) A Communication by City Auditor Leslie Ward submitting the Fiscal Year 2011 Audit Schedule for the City Auditor's Office.

FILE

Ms. Leslie Ward: Internal City Auditor addressed the Committee by stating that in the schedule we have 13 projects that are in progress to be completed this year. The list includes things we have selected. They include the overall look at general controls in IT. We have recommendations for the Departments of Finance and Watershed. We have finished the report on Aviation grants. We are now doing an overview of controls for other Departments. We are looking at the Departments of Finance and Watershed. We will look at IT operations at the Airport. We are looking at material monitoring such as Oracle applications, etc. We are focusing on ATL Stats in the Department of Public Works. We have several performance audits. Chairperson Adrean stated that we need information regarding broken meters, etc. The number seems lower than we anticipated. Can we help in some way? Ms. Ward responded that she welcomes any reports. She will consult with the audit team. We have identified the risks. We felt that there were risks with no lids. We are focusing on the claims. Chairperson Adrean stated that if you did the inventory we would know what is out there. Ms. Ward responded that the claims have been identified and we have required ongoing follow-ups. Councilmember Moore offered a motion to **File, 4 Yeas**.

TO APPOINT JOYA C. DEFOOR TO SERVE AS THE CHIEF FINANCIAL OFFICER (CFO)

10-C-1364 (2) A Communication by Mayor Kasim Reed appointing Joya C. DeFoor to serve as the Chief Financial Officer (CFO) for the City of Atlanta; effective upon City Council confirmation.

HELD

CONSENT AGENDA

TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SUBDIVISION 1, SECTION 10-60(A)(2)(C)

- 10-O-1407 (1) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article II, Division 2, Subdivision I, Section 10-60(A)(2)(C), to correct the fee for a license for retail dealer of beer to be consumed on or off the premises of the dealer which was incorrectly increased from \$2,362.50 to \$4,000.00 due to a scrivener error in Ordinance Number 10-O-0900, rather than from \$2,362.50 to \$2,500.00; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 10-O-1408 (2) An Ordinance by Finance/Executive Committee amending the 2011 (Intergovernmental Grant Fund Budget, Department of Executive Offices, by adding to Anticipations and Appropriations in the amount of \$1,200,000.00 for a Grant Award from the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant to be used to fund the Sustainable Home Initiative in a new Economy Program; and for other purposes.

FAVORABLE ON FIRST READ

REGULAR

TO AMEND THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 10-O-1279 (1) A **Substituted** Ordinance by Finance/Executive Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to Anticipations and Appropriations in the amount of \$45,000.00 for a donation from Clean Energy, to pay the incremental cost of purchasing eighteen (18) E450 Parking Shuttles for conversion to compressed natural gas; and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA, 7/28/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute for the Account Numbers. Councilmember Wan offered a motion to **Approve on Substitute, 4 Yeas.**

TO AUTHORIZE THE RE-EMPLOYMENT OF BRENDA HOLMES

- 10-R-1409 (1) A **Substituted** Resolution by Finance/Executive Committee authorizing the re-employment of Brenda Holmes as Financial Analyst in the Department of Finance-Office of Payroll, for a period of thirty days, in an amount not to exceed \$1,000.00, pursuant Section 3-505 of the Charter of the City of Atlanta; all expenses to be charged to and paid from Fund Department Organization and Account Number 1001 (General Fund) 100311 (DOF – Payroll) 5112001 (Salaries, Extra Help) 1512000 (Accounting); and for other purposes. **(Finance/Executive Committee Substitute changes job title from Financial Analyst to Administrative Analyst, 7/28/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute to change job title from Financial Analyst to Administrative Analyst. Councilmember Wan offered a motion to **Approve on Substitute, 5 Yeas.**

TO PAY ORACLE USA, INC. FOR ORACLE DATA LICENSES AND SUPPORT

10-R-1410 (2) A **Substituted** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to pay Oracle USA, Inc., for Oracle Database Licenses and Support in an amount not to exceed two million, one hundred twenty-four thousand, three hundred fifty-eight dollars and no cents (\$2,124,358.00) to be charged to and paid from Fund, Department, Organization and Account Numbers: 5501 (Airport Revenue Fund) 180107 (Department of Aviation, Aviation Information Services 5222002 (Repair & Maintenance-Equipment) 7563000 (Airport) (TDB) 5502 (Airport Renewal and Extension Fund) 180107 (Department of Aviation, Aviation Information Services) 5222002 (Repair & Maintenance-Equipment) 7563000 (Airport) (TDB) 1001 (General Fund) 050102 (IT Administration) 5213001 (Consulting/Professional Services-Technical) 1535000 (Data Processing Management Information Systems) \$140,100.00) 1001 (General Fund) 050102 (IT Administration) 5410001 (Consulting/Professional Services) 1535000 (Data Processing Management Information Systems) (\$636,800.00) 5052 (Water and Wastewater Renewal and Extension Fund) 17013 (DWM Watershed Information Systems) 5212001 (Consulting/Professional Services) 1535000 (Data Processing Management Information Systems) (\$443,400.00) 5051 (Water & Wastewater Revenue Fund) 170113 (DWM Watershed Information Systems) 5212001 (Consulting/Professional Services) 1535000 (Data Processing Management Information Systems) (\$97,600.00); and for other purposes. **(Finance/Executive Substitute reduces the amount, 7/28/10)**

FAVORABLE ON SUBSTITUTE ON CONDITION

Chairperson Adrean stated that we have a Substitute to reduce the amount.

Mr. Dan Smith: addressed the Committee by stating that the amount is reduced. Oracle is aware that this is an issue for the City. We are trying to implement a Change Management System. We have done a lot of work in the procurement area. We started negotiations with Oracle in April. There were several discussions with an expert. We are down to \$4 million dollars. Councilmember Wan stated that this brings us current and there are preventive measures in place. Chairperson Adrean offered a motion to **Approve on Substitute on Condition, 5 Yeas.**

TO ISSUE A REFUND TO THE AMERICAN INTERNATIONAL UNIVERSITY FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES

10-R-1411 (3) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to the American International University for an overpayment of business license fees in the amount of eighteen thousand one hundred forty-seven dollars and forty-three cents (\$18,147.32); all funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ISSUE A REFUND TO DUNN & BRADSTREET FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES

- 10-R-1412 (4) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Dunn & Bradstreet for an overpayment of business license fees in the amount of one hundred thirteen thousand eight hundred six dollars and fifty-nine cents (\$113,806.59); all funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO AWARD AND EXECUTE AN AGREEMENT WITH SABRE AIRLINE SOLUTIONS FOR AIRPORT DATA INTELLIGENCE SERVICES

- 10-R-1413 (5) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to award and execute an Agreement with Sabre Airline Solutions for Airport Data Intelligence Services, in an amount not to exceed \$99,000.00 for three years; all contracted work shall be charged to and paid from FDOA 5501 (Airport Revenue Fund) 5212001 (Consultants Professional Services) 180405 (Marketing and Business Development). **(Finance/Executive Committee Substitute indicates that it is a Sole Source Contract, 7/28/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute.

Mr. Robert Kennedy: addressed the Committee by stating that the Substitute indicates that it is a Sole Source Contract. Sabre provides data on air traffic, check points and they help with the planning for expenses during the year. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

TO EXECUTE AMENDMENT AGREEMENT NUMBER 3, WITH HONEYWELL, INC.

- 10-R-1414 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Amendment Agreement Number 3, with Honeywell, Inc. for FC-4714, Citywide HVAC Services on behalf of the Executive Offices-Office of Enterprise Assets Management to add additional funding on behalf of the Department of Watershed Management in an amount not to exceed five hundred ninety-nine thousand, nine hundred dollars and zero cents (\$599,900.00). All contracted work shall be charged to and paid from 5051 (Water & Wastewater Revenue), Department 170407 (DWM Drinking Water), Account 5222001 (Repair & Maintenance), Function Activity 4430000 (Treatment – Bureau of Drinking Water) - \$483,900.00, 5051 (Water & Wastewater Revenue), Department 170207 (DWM, Treatment Plant – Intrenchment Creek), Account 5222001 (Repair & Maintenance),

Function Activity 4335000 (Sewage Treatment), \$31,700.00, 5051 (Water & Wastewater Revenue), Department 170205 (DWM Treatment Plant-Utoy Creek), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$12,000.00, 5051 (Water & Wastewater Revenue), Department 170206 (DWM Treatment Plant-South River), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$31,600.00, 5051 (Water & Wastewater Revenue), Department 170209 (DWM Wastewater Pumping Station), 5222001 (Repair & Maintenance), Function Activity 4334000 (Sewer Lift Stations) \$-5,600.00, 5051 (Water & Wastewater Revenue), Department 170204, (DWM Treatment – R.M. Clayton) Account 5223001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$16,000,000, 5051 (Water & Wastewater Revenue), Department 170216, (DWM-Wastewater Inventory), Account 5222001 (Repair & Maintenance), Function, Activity 4900000 (Building Maintenance and Shop) - \$20,000.00 and for other purposes.

FAVORABLE

Mr. Larry Riddle: Director of the Office of Enterprise Assets Management stated that this is Amendment #3. The contract was initiated on April 2009. Chairperson Adrean asked if the Department of Watershed Management was included in the past contract.

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is one of five Citywide contracts. The term is three years with two one-year renewal options. The first year's funding was \$1.5 million dollars and divided into five Departments. About \$700,000 was for Watershed. We are asking for additional funding for the balance. Chairperson Adrean asked if we should ask for more from other Departments. Mr. Riddle responded no, he has not seen any. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO EXECUTE RENEWAL AGREEMENT NUMBER 2, AND AMENDMENT NUMBER 6 FOR FC-6005007878

10-R-1415 (7)

A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement Number 2, and Amendment Number 6 for FC-6005007878 Citywide Elevator Service, between the City of Atlanta and Thyssen Krupp Elevator Corporation, on behalf of the Executive Offices-Office of Enterprise Assets Management, to included the Departments listed herein; the Department of Parks, Recreation and Cultural Affairs-Civic Center, Cyclorama, and the Bureau of Recreation, the Department of Public Works-Office of Fleet Services, the Bureau of Solid Waste Services, and the Department of Watershed Management. Amendment Number 6 is adding the site and funding on behalf of the Office of Enterprise Assets Management-Municipal Court in an amount not to exceed twenty-two thousand dollars and zero cents (\$22,000.00). The combined total of Renewal Number 2 and Amendment Number 6 is two-hundred seventy-nine thousand, one hundred ten dollars and zero cents (\$279,110.00); all contracted work shall be charged to and paid from 1001 (General Fund), Department 040402 (Exe. Facility Maintenance-City Hall), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$32,000.00, 1001 (General Fund), Department 040404 (Exe. Facility Maintenance – AWDA), Account 5222001 (Repair & Maintenance), Function Activity 15650000 (General Government Buildings & Plants) - \$2,400.00, 1001

(General Fund), Department 040406 (Exe. Facility Maintenance Municipal Court), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$22,000.00, 1001 (General Fund), Department 040408 (Exe. Facility Maintenance Dunbar), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$1,200.00, 1001 (General Fund), Department 040409 (Exe. Facility Maintenance Georgia Hill), Account 5222001 (Repair & Maintenance) Function Activity 1565000 (General Government Buildings & Plants) - \$1,200.00, 1001 (General Fund) Department 040409 (Exe. Facility Maintenance Birdine), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$1,200.00, 1001 (General Fund), Department 040415 (Exe. Facility Maintenance Public Safety Annex), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$10,800.00, 1001 (General Fund), Department 040419 (Exe. Facility Maintenance, Public Safety Headquarters), Account 5222001 (Repair & Maintenance), Function Activity 1565000 (General Government Buildings & Plants) - \$10,800.00, 5581 (Civic Center Revenue) 140408 (PRC Civic Center) - Account 5222001 Repair & Maintenance), 6190000 (Building Special Facilities) - \$16,320.00, 5561 (Repair & Maintenance), Function Activity 6172000 (Building Museums - \$1,200.00, 1001 (General Fund), Department 140301 (PRC Recreation Administration), Account 5212001 (Consultant/Professional) Function Activity 6110000 (Recreation Administration) - \$1,690.00, 6001 (Internal Service Fund), Department 130402 (DPW Fleet Services), Account 5222001 (Repair & Maintenance), Function Activity 1590000 (Customer Service) - \$1,500.00, 5404 (Solid Waste Services Revenue), Department 130532 (DPW Yard Trimming Process), Account 5212001 (Consulting/Professional), Function Activity 4585000 (Yard Trimming) - \$3,000.00, 5051 (Water & Wastewater Revenue), Department 170407 (DWM Drinking Water), Account 5222001 (Repair & Maintenance), Function Activity 4430000 (Treatment - Bureau of Drinking Water) - \$125,000.00, 5051 (Water & Wastewater Revenue), Department 170207 (DWM, Treatment Plant - Intrenchment Creek), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$6,000.00, 5051 (Water & Wastewater Revenue), Department 170205 (DWM Treatment Plant-Utoy Creek), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$12,000.00, 5051 (Water & Wastewater Revenue), Department 170206 (DWM Treatment Plant-South River), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$15,800.00, 5051 (Water & Wastewater Revenue), Department 170209 (DWM Wastewater Pumping Station), 5222001 (Repair & Maintenance), Function Activity 4334000 (Sewer Lift Stations) - \$5,400.00, 5051 (Water & Wastewater Revenue), Department 170204, (DWM Treatment - R.M. Clayton), Account 5222001 (Repair & Maintenance), Function Activity 4335000 (Sewage Treatment) - \$15,000.00; and for other purposes. **(Finance/Executive Committee Substitute corrects FDOA, 7/28/10)**

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute that corrects the Account Numbers. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

TO GRANT AMNESTY ON LATE FEES, PENALTIES AND INTEREST FOR UNPAID PARKING TICKETS

- 10-O-0401 (1) An Ordinance by Councilmember C.T. Martin to grant amnesty on late fees, penalties and interest for unpaid parking tickets; to provide that no additional fees, penalties or interest shall be assessed against the obligor for late payments; to repeal conflicting Ordinances; and for other purposes. **(Held, 2/24/10)**

HELD

TO TRANSFER THE PROPERTY LOCATED AT 695 PONCE DE LEON AVE., N.E.

- 10-O-0502 (2) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor to transfer the property located at 695 Ponce De Leon Ave, N.E. also known as City Hall East to the Atlanta Development Authority; to authorize the transfer of the contracts associated with the property; to authorize the Mayor to execute a Quitclaim Deed transferring the property to the Atlanta Development Authority upon the closing of the property; and for other properties. **(Held, 3/10/10)**

HELD

TO AMEND AND RESTATE THE FOURTEENTH SUPPLEMENTAL BOND ORDINANCE

- 10-O-0599 (3) An Ordinance amending and restating the Fourteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009 (09-O-1099) as amended by a First Amendment to Fourteenth Supplemental Bond Ordinance adopted on September 8, 2009 all of which provides for the supplementing of the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented; to provide for the issuance of Airport General Revenue Bonds, Series 2010A (The "Series 2010A Bonds"), and to provide for the issuance of Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2010B (The Series 2010B Bonds" together with the Series 2010A Bonds, the "Series 2010A/B Bonds"), in the combined aggregate principal amount of not to exceed \$800,000,000; to provide funds to finance or refinance, in whole or in part, the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport, including certain capitalized interest during construction, to provide for a reasonably required Debt Service Reserve, and to pay expenses relating thereto; to authorize and approve the preparation, use and distribution of an Official Statement in connection with the offer and sale of the Bonds; granting the Mayor the authority to deem final the Preliminary Official Statement for purposes of Securities and Exchange Commission Rule 15c2-12; granting the Mayor the authority to approve and execute a Final Official Statement; approving the forms of a continuing Disclosure Agreement, a Bond Purchase Agreement, and certain other Agreements in connection with said Bonds; authorizing the conduct of a Public Hearing as required by Internal Revenue Code Section 147(f), the negotiation and purchase of Municipal Bond Insurance and the selection of a Bond Insurer with respect to all or a portion of said Bonds, if determined to be in the best interest of the City, designating a Paying Agent and Bond Registrar; to provide for the form of the

Bonds and for the execution of the Bonds; to provide for the place of payment of the principal of and interest on the Bonds; to amend the Debt Service Reserve requirement for Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds; and for other purposes. **(Held, 4/28/10)**

HELD

Brother Mohammad: addressed the Committee by stating that he is very interested in this paper. He spoke with the Chief Procurement Officer and he wanted to get information on the former Mayor Maynard Jackson. He has concerns for NPU-P. There are so many people unemployed.

TO AMEND THE FY 2010 GENERAL FUND BUDGET

10-O-0603 (4) An Ordinance by Councilmember Felicia A. Moore amending the FY 2010 General Fund Budget, by adding to anticipations and appropriations the amount of five hundred ninety seven thousand, six hundred fifty-seven dollars and forty cents (\$597,657.40) received from Fulton County as a refund of monies paid in advance to Fulton County for the conduct of the City of Atlanta's 2009 General and Run-Off Elections; and for other purposes. **(Held, 4/28/10); (Held as Substituted and Amended, 5/12/10)**

HELD

TO AMEND ARTICLE VILL DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES

10-O-0774 (5) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA, CHAPTER 114 (PERSONNEL)

10-O-0788 (6) An Ordinance by Councilmembers Ivory Lee Young, Jr. and Joyce Sheperd to amend the Code of Ordinances, City of Atlanta, Georgia Chapter 114 (Personnel), Article II (Compensation, Payroll Deductions and Charitable Contributions) and Division 1 (Generally), Section 114-28 (Deduction of Labor Organizations Dues from Salaries). **(Held, 4/28/10)**

HELD

TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379 OF THE CITY OF ATLANTA CODE OF ORDINANCES

10-O-0874 (7) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In

Force” so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

HELD

TO EXECUTE RENEWAL AGREEMENT NUMBER 2, FC-7665-04A CITYWIDE JANITORIAL SERVICES

- 10-R-0881 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement Number 2, FC-7665-04A Citywide Janitorial Services, between the City of Atlanta and A-Action Janitorial Inc. on behalf of the Executive Offices-Office of Enterprise Assets Management to include the sites and funding for the Office of Enterprise Assets Management, Department of Police, the Department of Watershed Management and the Department of Public Works-Office of Transportation, the total contract not to exceed amount is one million sixty-three thousand, four hundred eighty-three dollars and eight cents (\$1,063,483.08); funds to be encumbered in fiscal year 2011 pending budget approval. All contracted work shall be charged to and paid from the below referenced accounts. **(Held, 5/12/10)**

HELD

TO AMEND SECTION 6-637 (C) AND 6-637 (D) OF THE 1978 PENSION ACT

- 10-O-0906 (9) An Ordinance by Finance/Executive Committee to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-222 (C) AND 6-222 (D) OF THE 1978 PENSION ACT

- 10-O-0908 (10) An Ordinance by Finance/Executive Committee to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-37 (C) AND 6-37 (D) OF THE 1978 PENSION ACT

- 10-O-0910 (11) An Ordinance by Finance/Executive Committee to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all

Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-0944 (12) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1604 et. seq. of the City of Atlanta Code of Ordinances, utilizing the United States of America GSA Schedule #GS-35F-0111K, Software House International (Principal Decision Systems International (PDSI) Tele Staff Workforce Management) in an amount not to exceed sixty nine thousand one hundred seven and ninety five cents (\$69,107.95). All contracted work to be charged and paid from PTAE0 (P) 19200769, (A) 770191491 (T) 109 (E) 5213001 (O) COA; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SOUTHEAST ENERGY EFFICIENCY ALLIANCE

10-R-1046 (13) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Memorandum of Understanding with the Southeast Energy Efficiency Alliance for the installation of donated wind turbine, utilizing funds from the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant in the amount of \$15,000.00; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO AN INMATE AGREEMENT WITH THE SOUTH FULTON MUNICIPAL REGIONAL JAIL AUTHORITY

10-R-1153 (14) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor of the City of Atlanta to enter into an Inmate Agreement with the South Fulton Municipal Regional Jail Authority (The "Authority") for the purpose of Housing Persons charged with or sentenced for a violation of the City of Atlanta Code of Ordinances in the facility operated by the Authority; and for other purposes. **(Referred back by Full Council, 7/6/10); (Held, 7/14/10)**

HELD

TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 418 MORGAN PLACE, S.E., ATLANTA, GEORGIA

10-O-1169 (15) An Ordinance by Councilmembers Natalyn Archibong and Aaron Watson to provide for the annexation of property located at 418 Morgan Place, S.E., Atlanta, Georgia to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes. **(Held, 6/16/10)**

HELD**TO REQUEST THE ISSUANCE BY THE ATLANTA URBAN REDEVELOPMENT AGENCY**

10-O-1229 (16) An Ordinance by Councilmembers Michael Bond, Aaron Watson, H. Lamar Willis, Cleta Winslow, Natalyn Archibong, Ivory Lee Young, Jr. and Kwanza Hall to request the issuance by the Atlanta Urban Redevelopment Agency (The "Issuer") of its Taxable Recovery Zone Economic Development Revenue Bonds, Series 2010 in the aggregate principal amount of not to exceed \$_____ (The "Series 2010 Bond") to financing the cost of certain Urban Redevelopment Projects (The "Series 2010 Project") to be acquired constructed and installed by the Issuer within the City of Atlanta (The "City"); to authorize the Mayor to execute, delivery and perform an Intergovernmental Agreement by and between the Issuer and the City; to authorize acknowledgement of service and the filing of an answer on behalf of the City in validation proceedings to be brought in validating the Series 2010 Bonds; to authorize the Mayor to enter into a Bond Purchase Agreement and continuing disclosure undertaking in connection with the sale of the Series 2010 Bonds, to approve the Official Statement to authorize certain related actions all in connection with the issuance of the Series 2010 Bonds; and for other purposes. **(Held, 6/30/10); (Finance/Executive Committee Substitute includes the agreements of the Bonds, Finance/Executive Committee Conditional passage that a final Substitute is forthcoming, 7/28/10)**

FAVORABLE ON SUBSITUTE ON CONDITION

Chairperson Adrean stated that we have a Substitute.

Ms. Marie Runnels: of the Office of Debt and Investment addressed the Committee by stating that this is part of a federal program. We have approved the map and application. It is in the amount of \$22 million dollars. The Substitute includes the agreements of the Bonds. Councilmember Watson offered a motion to Approve on Substitute. Chairperson Adrean asked if the package is complete. Ms. Runnels responded yes. Chairperson Adrean asked about Exhibits "C" and "D".

Ms. Clair Coleman: Senior Assistant City Attorney addressed the Committee by stating that it is attached to the Bonds. Chairperson Adrean asked about the ability to repurpose these bonds. Senior Assistant City Attorney Coleman responded that it is approved in Phase I and Phase II of the projects. It is approved in the Urban Redevelopment Plan for the maintenance facility. Councilmember Martin asked if the term sheet is included. Senior Assistant City Attorney Coleman responded yes. It was distributed on Friday. Councilmember Martin asked if Southwest is in there. Senior Assistant City Attorney Coleman responded yes. Councilmember Martin stated that they never attend the Finance/Executive meetings. They are supposed to be our financial advisors. Acting CFO Council responded that we can get them here. Councilmember Martin stated that it is well known that he wants to see the people we are giving money to. Acting CFO Council responded that we pay them quarterly. Councilmember Martin asked if they are sound deals. Acting Council responded that they provide us information. Ms. Runnels added that someone is here from Hunton & Williams. Councilmember Martin asked for a breakout of the cost we are paying each one. What percentage are they getting? Acting CFO Council responded that we would provide the information. Councilmember Martin asked what are they doing in the community. What are their social responsibilities? Councilmember Wan asked how is the project list incorporated? Senior Assistant City Attorney Coleman responded that it

would be included in the Bond Resolution. It is included in the Agreement with Urban Redevelopment, Inc. Chairperson Adrean asked what is the time line? Senior Assistant City Attorney Coleman responded that we are looking for pricing before September 15th. We need it to go before the Board in August. Chairperson Adrean asked when will we start debt payments. Acting CFO Council responded July 2011. Senior Assistant City Attorney Coleman responded that we would price on September 15th and close a week later. Chairperson Adrean asked when will the project roll out. Councilmember Moore stated that this is related to the street car. She will not be able to support this. Less than a month or so ago we approved the 2011 budget. This has an indirect and direct impact on the budget because they are revenue Bonds. When we have Bond Issuances, they are done through a Referendum. The last one was \$150 million dollars for the Quality of Life. It listed what would be done. They were put in categories and printed on the ballot. She questions why it is supported by other members. We put the street car at \$10 million dollars and other projects at \$13 million dollars. It is coming from hotel/motel and money that could have been spent on other projects. Acting CFO Council responded that if it is a 20 it is \$1.6 million dollars. Councilmember Moore stated that we have a lot of debt. We need to sit down and analyze our debt and needs. We have infrastructure reports of \$750 million dollars. We have other needs in the City. This is adding more insult to the injury. Why are we building a maintenance center when we don't have anything to maintain. She then went through the list. She is interested in the ability to establish the redevelopment areas. We need to be more cautious with our opportunities. She is not interested in adding more to the 2012 budget. Councilmember Martin asked how did the Edgewood Bridge get back on the list? Councilmember Sheperd stated it was always part of the list. She asked for a list. The additional money was looked at. There are about 8 more in major need of repairs. Edgewood is one at the top of the list. He asked about the street car conversation. The original plan was to go from Auburn to Centennial Park. Her option was if there was a TIGER grant, \$10 million dollars would go to our match and \$10 million to CAP. This is our second time applying for a TIGER Grant. She only got one amendment passed. \$10 million dollars was to remain. If we don't get the Tiger Grant we will put in the \$10 million dollars and Option B is the street car. Councilmember Martin asked about the other Districts. Councilmember Sheperd stated that the boundaries remain the same. Councilmember Martin asked if we got any Citywide support. Councilmember Sheperd stated that she wants quarterly updates on the projects. She is concerned with things getting done that we are committed to. Councilmember Martin asked if anyone tried to leverage the areas. It seems that the people in Southwest Atlanta should get something for their money. Councilmember Sheperd stated that she took the list. Councilmember Martin stated that it is a matter of time before the streets cave in on us.

Ms. Cotena Carothers: addressed the Committee by stating that street resurfacing was not a part of the improvements. Councilmember Martin stated that it is wiser for us to defer maintenance. We should take care of the special interest needs. He will not vote on it. We need to shut down the special projects. We are constantly behind. We are never stabilized. After 30 years some of the streets in Northwest Atlanta look the same. Councilmember Sheperd stated that the amendment states that the \$2 million dollars would be for demolition. Councilmember Moore stated that the demolition makes sense, but the clean and close did not. She then asked if Option A did not happen, would \$10 million dollars be set aside for a street car maintenance center. Councilmember Wan stated that he voted for the \$10 million dollars not to be going toward the street car maintenance facility, but for other projects. Councilmember Moore stated that is how she saw it. Option B is to do the maintenance facility and clean and close or demolition. She wants to clearly know what Phase II is. Senior Assistant City Attorney Coleman responded that Phase II is street car maintenance, etc. There has to be a requisition to document what the money is spent on. Councilmember Moore stated that Phase I (infrastructure improvements and street car). If the TIGER grant is not approved Phase II is for the street car maintenance facility of \$10 million dollars and other projects.

Mr. Peter Aman: Mayor's Office Chief Operating Officer addressed the Committee by stating that if we don't get the TIGER Grant, the money from the match would go to

infrastructure. We are not requiring that a maintenance facility be built. Councilmember Moore stated that we can either build a facility or strap the whole thing for infrastructure. Senior Assistant City Attorney Coleman responded that there is not a specific process. She would draft that. Councilmember Moore stated that it should be added before August 16th. Her opinion is that the \$10 million dollars should be put toward infrastructure. Councilmember Sheperd stated that she tried to put a time frame on it. If it is not approved by June of next year, the money would have gone toward infrastructure, but it was voted down. Chairperson Adrean stated that she has not had the opportunity to jump on this vision train. She doesn't understand us becoming a part of a transportation entity. We are taking on debt and operation debt of \$1 million dollars per year. MARTA cannot afford to take this on. She doesn't see the optimism in the economy. She is not here to raise anyone's taxes. To take \$20 million she cannot support this. We have five TADs that are supposed to provide for street cars. Councilmember Martin stated that there has been preliminary talk that we are looking at doing some Bonds down the road. We do Bonds because we are subsidizing people who don't live here, but work and play here. Any of these dreams will replace revenues. A Commuter or Payroll Tax could yield this. The City of Atlanta needs an infusion of revenues. Wan said that he is excited about the project. If the project fails, he hopes that there is a deep discussion what to do with the funds. We are becoming drowning in debt. This needs to be discussed and have dialogs. He wants to move Forward With No Recommendation on Substitute on Condition to put some safeguards in place. Councilmember Watson stated that we have \$1 billion in infrastructure and \$1 billion dollars in pension. He is interested in the revenue options. This is a \$10 million dollar opportunity. This can leverage into \$50 or \$60 million more. This has had to come in a short time frame. He hopes that we continue to move this project. Councilmember Moore added that the Edgewood Bridge is the only major project in there. Councilmember Wan offered a motion to move **Forward With No Recommendation on Condition that a Substitute will be forthcoming, 3 Yeas, 3 Nays**. Councilmember Wan offered a motion to **Approve on Condition, 3 Yeas, 3 Nays**. Senior Assistant City Attorney Coleman responded that the TIGER II grant application is due on August 30th. Councilmember Martin stated that he will change his vote to move to Council and see what happens there. He then offered a motion to **Approve on Substitute on Condition of a final Substitute, 4 Yeas, 2 Nays**.

TO REQUEST THE ISSUANCE BY THE CITY OF ATLANTA AND FULTON RECREATION AUTHORITY

10-O-1338 (17)

An Ordinance by Councilmembers Howard Shook and Kwanza Hall to request the issuance by the City of Atlanta and Fulton Recreation Authority (The "Issuer") of its Revenue Refunding and Improvement Bonds (Downtown Arena Private Improvements Project); Taxable Series 2010 in the maximum aggregate principal amount of \$145,000,000 (The "Series 2010 Bonds"), to authorize the Mayor to execute, deliver and perform an Intergovernmental Agreement by and among the Issuer, the City of Atlanta (The "City") and Fulton County, Georgia (The "County") for the purpose of financing and refinancing the cost of (1) the construction, reconstruction, improvement, reequipment and extension of the Downtown Arena and (2) the provision of other Recreation Facilities and Programs for the City and the County, to authorize acknowledgment of service and the filing of an Issuer on behalf of the City in validation proceedings to be brought in validating the Series 2010 Bonds, to authorize the execution and delivery of a First Amendment to Operating Agreement among the City, the County and Arena Operations, LLC (The "Operator"); to authorize the Mayor to enter into a Bond Purchase Agreement and continuing disclosure undertaking in connection with the sale of the 2010 Bonds; to approve the Official Statement to authorize certain related actions all in connection with the Issuance of the Series 2010 Bonds; and for other purposes. **(Held), 7/14/10)**

FAVORABLE

Chairperson Adrean stated that we have a Substitute. Ms. Runnels responded that these Bonds will refund the 1997 Bonds. Money will be set aside for the Phillips Arena maintenance, etc. We have passed out information regarding debt service levels. It will remain the same. The ratio shows that there are enough revenues to handle the debt service. Chairperson Adrean asked about the term sheet. Ms. Runnels responded that it is included with the Substitute. Councilmember Moore said the background sheet shows that the debt service levels are good. Page #2 is being replaced. Ms. Runnels responded that if the \$15 million dollars is not available we would use the funds from the City and Fulton County. We had a \$60 million collateral adjacent to the \$15 million dollars.

Mr. Doug Silva: of Hunton Williams responded that when it was done in 1997 it was a brand new facility. The Bond Advisors believe that by releasing the lien it will excess credit. Councilmember Moore stated that part of it is to modernize the debt and additional capital costs. What does lowering the average interest rate means? Mr. Silva responded that we are not changing the maturity date. While the debt service is the same, the principle goes up. The additional principle is to make improvements to the arena. We currently have a debt for traffic and pedestrian maintenance. It would offset that cost. It is talking about a number of uniform officers. Mr. Aman stated that this portion provides for \$3.5 million dollars. The \$2.3 million dollars is discretionary projects. We are trying to go through the refinancing to be relieved of the cost of the officers. Councilmember Moore asked about the \$2.3 million dollars. How will the money be used? How does the money get spent? Mr. Aman responded that it is a one-time cost at closing. Councilmember Moore asked if we will pay long term debt on \$2.3 million dollars. Mr. Aman responded that the debt service is constant. We are not paying debt service on that. Councilmember Moore asked about the \$2.3 million dollars coming back to us. She wants the \$2.3 million separate. Is there a prohibition purpose? Mr. Silva responded that they are taxable Bonds and the rules don't apply and it was a specific criteria. Councilmember Moore asked what was the Administration's plan for it? Mr. Aman responded that it is to use the funds for the traffic police and if there is excess, it will be used for the Centers of Hope. We don't want to spend it all in one day. Councilmember Moore asked where can we put the \$2.3 million dollars aside and come back and discuss it. Acting CFO Council responded that we could put it in a Trust Fund. Councilmember Moore asked if there is anything to do to address that. Mr. Silva responded that there is a separate account under Indenture. There will be a City representative at closing. Chairperson Adrean asked about the time frame. Can it be used over the life of the loan? Mr. Silva responded that there is no time frame.

Mr. Bob Williams: President of the Atlanta Hawks addressed the Committee by stating that our purpose is to make the Hawks competitive. The removal will allow us to assess the facility. We want to bring an NBA championship to Atlanta. We recently heard that the \$125 million dollars will not be there. We are trying to resolve this to compete. When the arena was built we needed more security. We are growing revenues as the Hawks improves. Our crowds are improving. Councilmember Martin offered a motion to **Approve on Substitute, 5 Yeas.**

TO WAIVE THE CITY OF ATLANTA CODE OF ORDINANCES ARTICLE X, SECTION 2-1206 OF THE PROCUREMENT AND REAL ESTATE CODE

10-O-1345 (18)

An Ordinance by Councilmember Kwanza Hall waiving the City of Atlanta Code of Ordinance Article X, Section 2-1206 of the Procurement and Real Estate Code, authorizing the Mayor and his Designee to enter into an appropriate Contractual Agreement with Wayne Evans Auction Company, Inc., for Liquidation Sale Services for City Hall East Surplus Property by Auctioneer Services, on behalf of the Office of Enterprise and Asset

Management; all revenue generated under the contract shall be deposited to Fund Account and Center Number: 1A01 (General Fund) 491101 (Sale of Equipment, B00001 (Revenue Center).
(Held, 7/14/10)

FAVORABLE

Councilmember Martin offered a motion to **Approve, 4 Yeas..** Councilmember Moore stated that she received more details from Mr. David Bennett. She is satisfied with the better direction.

ITEMS NOT ON AGENDA

TO DECLARE A NEED FOR THE EXERCISE OF URBAN REDEVELOPMENT POWERS

10-R-1423 (1) a Resolution by Finance/Executive Committee declaring a need for the exercise of Urban Redevelopment Powers within the Municipal Limits of the City of Atlanta by Fulton County and the Fulton County Urban Redevelopment Agency in relation to Fulton County Public Facilities; and for other purposes.

FAVORABLE

Mr. Aman stated that Fulton County is doing similar Bonds. This has no financial implication. It is to let Fulton County get access to the Bonds. Councilmember Martin offered a motion to **Approve, 6 Yeas.** Councilmember Moore stated that it does not reference the list. Senior Assistant City Attorney Coleman responded that it was provided for information purposes. When it is approved, Fulton County does not have to provide what the money is spent for.

Ms. Susan Pease Langston: Bond Counsel addressed the Committee by stating that it is not a list, but an over blanket authority. It is also only to respect County facilities and projects.

Brother Mohammad stated that he questions the mural on the wall. Is it back in slavery time? He is a happy, God fearing man.

TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-1424 (2) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing General Services Administration Contract Number GS-35F-02161, with Mainline Information Systems, Inc. for the purchase of additional IMB Storage Hardware and support for the ERP Server Environment on behalf of the Department of Information Technology, in an amount not to exceed forty-five thousand six hundred forty-five dollars and thirty cents (\$45,645.30); all contracted work shall be charged to and paid from Fund, Department, Organization and Account Numbers: 1001 (General Fund) 050212 (IT Server Management) 5424003 (Computers \$5,000,00+) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Mr. Dan Smith: Chief of the Department of Information Technology addressed the Committee by stating that the 1st Resolution is for storage area network. It will carry us

for the next two years for the ERP process. Councilmember Martin offered a motion to **Approve, 4 Yeas.**

TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO A COOPERATIVE PPURCHASING AGREEMENT

10-R-1425 (3) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing Western States Contracting Alliance Contract Number B27160 with Dell Corporation, for the purchase of additional storage hardware and support for the Server Environment on behalf of the Department of Information Technology, in an amount not to exceed one hundred forty-nine thousand, nine hundred fifty-seven dollars and ninety-six cents (\$149,957.96); all contracted work shall be charged to and paid from Fund, Department, Organization and Account Numbers: 1001 (General Fund) 050212 (IT Server Management) 5424003 (Computers \$5,000.00+) 1535000 (Data Processing/ Management Information Systems); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 4 Yeas.**

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Roosevelt Council, Acting CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”